

Request to Address the City Commission



Name: NED STECHMAN

Agenda item you wish to address: Letter: _____; or BUILDING D

Public concern you wish to address: UPDATE ON PROGRESS

Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No _____

Request to Address the City Commission



Name: Debbie Meller

Agenda item you wish to address: Letter: _____; or

Public concern you wish to address: State law violation

Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No _____

3

Request to Address the City Commission



Name: Arch Sherwood ~~Sherwood~~ SHERWOOD

Agenda item you wish to address: Letter: _____; or Finance money

Public concern you wish to address: _____

Prior to the start of the meeting, please hand this form to the City Clerk

When the Mayor calls on you, please state your name and direct your comments to the Commission. Your comments should be limited to a maximum of 3 minutes.

No _____

*Submitted by
Mike Flood*



**616 N. Penn Ave., P.O Box 386
Independence, Ks 67301
Phone: (620) 331-1890**

**National Fiddler Hall of Fame Gala
Report to City of Independence
May 12, 2016**

Tickets Sold:	616
Gross Ticket Revenue:	\$19,352.00
Total Revenue:	\$10,879.66 (Includes: 70% to NFHOF, tourism grant, sponsorship, discounts and etc.)
Total Expense:	\$8,405.76
Cash Flow	\$2,473.90
City's Share:	\$1,236.95

This report is not final and requires review by the auditor.

In addition there was substantial economic impact to the community. This includes hotel rooms purchased, meals at restaurants, goods and services purchased for the event, retail purchases, and sales taxes.

*Submitted by
Mike Flood*



616 N. Penn Ave., P.O Box 386
Independence, Ks 67301
Phone: (620) 331-1890

PROPOSAL

Shenandoah Concert
To the Independence City Commission
May 12, 2016

Overview:

The City of Independence and the Independence Chamber of Commerce Convention & Visitors Bureau just completed a successful event with the National Fiddler Hall of Fame on April 9, 2016. The City and the CVB again desires to collaborate to sponsor the band Shenandoah. This proposal requires approval of both the City Commission and Independence Chamber of Commerce Board of Directors. Both organizations are being required to contribute funds for the event. It has been the desire of the parties to continue to better utilize Historic Memorial Hall for several years and this concert will fulfill the plan.

The Band:

The award winning band Shenandoah was hot in the 1990s winning a Grammy in 1991 for Best Country Performance by a Group. Shenandoah also won the Academy of Country Music Vocal Music Group in 1991. They recorded 9 studio albums and placed 26 singles on Billboards Hot Country Songs chart. They also charted 3 consecutive number one hits. Now the group is back together after 17 years with lead singer Marty Raybon rejoining the group. It's like they never stopped! They already have a new Gospel album out and are about to release a new country album. At the writing of this proposal they are appearing on The Grand Ole Opry.

The Concert:

The Concert is proposed for Saturday, August 19th at 8:00 p.m. in Independence Memorial Hall. The cost of the band is \$13,500 flat rate. This price is a "fill date" which is less expensive than a "booking date". Shenandoah normally books in the \$15,000 to \$20,000 price range. We have been working to build relationships with the agencies in order to benefit with lower prices and finally it has happened. The contract has been reviewed by the City Attorney. The riders have been reviewed and are standard with no unusual or expensive requirements. The date has been reviewed with no known conflicts with other events. We believe this is a good deal! The City & CVB will be its own promoter and produce the show, sell the tickets and market & promote the concert.

Ticketing

The ticketing will be accomplished using the new Vendini Ticketing System. The duties of selling tickets will be jointly handled by the Events Coordinator at Memorial Hall and the Tourism Director at the CVB. Tickets will be sold online, over the phone and via the box office at Memorial Hall. Tickets are being priced at \$19.50, \$29.50 & \$39.50. It is believed the tickets will sell well at these prices. Web site links will be installed on the City's and Chamber's web sites. Volunteers will be used to operate the box office for the week prior to the concert. All taxes and ticketing fees will be passed on to the consumer.

Production

The production of the concert will be jointly handled by the Memorial Hall staff and the CVB Tourism Director with the use of some contractors. Contractors will be used for lighting & sound just like other recent concerts.

Publicity Marketing & Promotion

The publicity, marketing & promotion will be led by the CVB Director with participation of the Memorial Hall Events Coordinator and others. A balance of media will be used with emphasis on social media. A maximum of \$5,000 will be spent on marketing. This effort will begin immediately once approved.

Revenue & Expenses

Several different scenarios have been considered. Two primary scenarios have been projected. The projected ticket sales of 692 will break even. Ticket sales of 1,000 has been projected, which we believe is reasonable for this concert. Several experts were consulted including Jim Halsey. They concurred that Shenandoah was a good fit for Independence and Memorial Hall. The Booking Agent said Shenandoah normally sells 1400 to 1500 seats in a building like Memorial Hall and a community like Independence. There is a desire to be conservative based on past concerts so we estimate ticket sales of 1,000. The projections indicate the approximate break-even ticket sales of 692 will generate enough revenue to offset the expenses of about \$21,000. The projection of 1000 tickets sold will generate about \$28,836 in cash flow. It is being suggested that both the City and the CVB contribute \$10,000 each to support this concert. Both of the scenarios described above will return the investment of the City and CVB. The City & CVB will split the profit or loss. The Independence Chamber of Commerce Board of Directors approval is required for the use of tourism funds. We believe this concert has a good chance of being successful.

General Timetable for Preparing Budget Document

Preparation of the annual budget starts with completing the fund pages and ends with the notice of budget hearing and budget summary. The budget should be completed and submitted to the County Clerk by August 25th. To meet this deadline the following timetable shows the last date to complete various steps:

Prior to July 1 Obtain prior years actual receipts and expenditures from accounting records and documents. Review current year receipts and expenditures to date, and projected receipts and expenditures for the remainder of year. Start developing next years budget based on trend analysis and planned projects.

July 1 Gather budget information

July 1 Prepare first draft of fund pages (one for each fund) JUNE 9

July 31 Prepare working draft of complete budget for review by governing body JUNE 23

August 5 Finish budget and publish notice of budget hearing and budget summary JULY 28

August 15 Hold hearing and adopt budget AUGUST 11

August 25 Certify (submit) budget to County Clerk

December 1 County Clerk submits all budgets to A & R

JUNE 27 - JULY 8 SPECIAL MEETING TO DISCUSS
CAPITAL ITEMS

JULY 14 - FINAL REVIEW BEFORE COMMISSION

Informational Memorandum

FROM THE DESK OF:

JEFF CHUBB
ATTORNEY AT LAW
SCOVEL, EMERT, HEASTY, CHUBB & GETTLER
304 NORTH SIXTH - P. O. Box 747
INDEPENDENCE, KS 67301-0747
E-MAIL: jchubb@sehc-law.com
(620) 331-1800
FAX: (620) 331-1807

TO: City Staff & City Commission
FROM: Jeff Chubb
DATE: May 10, 2016
RE: Sunday alcohol sales

Pursuant to Kansas statute, sale of cereal malt beverages (3.2 beer) and intoxicating liquors (everything else) can be expanded to include sales on Sundays and certain holidays. Below is a comparison of what is permitted under current law, and what could be permitted if an ordinance is passed expanding to Sunday sales.

Cereal Malt Beverages

1. What is permitted under current laws:

Monday through Saturday - sales permitted between the hours of
6:00 a.m. and midnight

Sundays - not permitted

Holidays - sales permitted on Memorial Day, 4th of July, Labor Day,
Thanksgiving and Christmas, but not Easter

2. Sales that would be permitted under an ordinance expanding sales:

Same as currently permitted

Sundays - Sunday sales permitted between the hours of noon
and 8:00 p.m., but not on Easter

Intoxicating Liquors

1. What is permitted under current laws:

Monday through Saturday - sales permitted between the hours of 9:00 a.m. and 11:00 p.m.

Sundays - no sales permitted

Holidays - no sales permitted on Memorial Day, 4th of July, Labor Day, Thanksgiving and Christmas (Easter sales are banned also, but since Easter always falls on a Sunday, it is not specifically mentioned).

2. Sales that would be permitted under an ordinance expanding sales:

Same as currently permitted except as hereafter stated

Sundays - Sunday sales permitted between the hours of noon and 8:00 p.m., but not on Easter

Holidays - Sales permitted on Memorial Day, 4th of July and Labor Day, but not Thanksgiving, Christmas and Easter

Procedure

If the City Commission were to adopt an ordinance expanding to Sunday sales as indicated above, it would have to be published for two consecutive weeks following which there would be a 60-day protest period. If sufficient signatures were obtained on a protest petition, it would require a city-wide vote before implementation.

Minutes of the Independence City Commission's May 12, 2016 Meeting.

The Independence City Commission met on May 12, 2016 at 5:30pm in the Veterans Room at Memorial Hall. Mayor Gary Hogsett, Commissioner Leonhard Caflisch, and Commissioner Fred Meier were present. Others present included:

City Staff

Micky Webb, City Manager
Jeff Chubb, City Attorney
Kelly Passauer, Assistant City Manager
Jennifer Rutledge, Director of Finance/City Clerk
Jerry Harrison, Police Chief
Dave Cowan, Public Safety Director
Terry Lybarger, Director of Utilities

Visitors

Larry McHugh	Dorcas Sutton
Jerry Bright	Arch Sherwood
Mike Flood	Toni Camacho
Daniel Turr	John Heckman
Charlotte Caflisch	Gary Morrisson
Debbie Miller	Louis Ysusi
Ned Stichman	Liz Moore

Call to Order

The meeting was called to order by Mayor Gary Hogsett.

Pledge of Allegiance to the United States of America

Citizen's Concerns and Petitions

- Ned Stichman addressed the Commission regarding building D. He reminded the commission that we are paying about \$12,000 per month to run the building and he is curious what the City plans to do with it. He expressed concern that the JCPenney building has been empty for a long time and would hate to see that happen to Building D, which will cost the city in the form of taxes, insurance, etc. He also pointed out that there is work that needs to be done at City Hall, that is not being done because we have Building D.
- Debbie Miller addressed the Commission regarding what she believes are violations of KORA. She submits requests to the City Clerk which are forwarded to Micky and Jeff for review. She specifically requested the Letter of Intent with Mercy hospital and was initially denied because it was an unexecuted document. Debbie felt that it should have been provided in spite of that. Frankie Forbes discussed the LOI

and said that it was available through an open records request. Debbie also requested a blank copy of the evaluation tool for Micky Webb, and once again was denied this time because it is tied to a specific employee. Once again KORA was violated. The Records Custodian is doing a great job, but she is frustrated with these violations. She announced that she has filed two KORA complaints with the attorney general's office as of today.

- Arch Sherwood has lived in the community for 89 years and asked where all the money is that was in the Treasury? He can't believe we are down to \$770,000 and that we can't pay for West Main.**

Adoption of the Consent Agenda

a. Appropriations

1. A-1766

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission approved A-1766 for \$443, 704.10.

Aye: Caflisch, Meier, Hogsett

Nay: None

2. P-1729

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission approved P-1729 for \$125,447.75.

Aye: Caflisch, Meier, Hogsett

Nay: None

- b. Consider approving the minutes of the April 25, 2016 and April 28, 2016 Commission meetings [CITIZENS].**

This item was moved to items for Commission Action.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the Commission approved the amended minutes of the April 25, 2016 and April 28, 2016 Commission meetings.

Aye: Caflisch, Meier, Hogsett

Nay: None

- c. Consider a request from the Chamber of Commerce to authorize blocking off the north half of the 100 block of North Penn in front of Community National Bank the last Saturday of May through September for Downtown Movie Night [CITIZENS/QUALITY OF LIFE SYSTEMS].

Attached is a request from the Chamber to block off the above described area for the downtown movie nights the last Saturday of the month starting in May and ending in September. City staff recommends approval.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission approved the request from the Chamber of Commerce to authorize blocking off the north half of the 100 block of North Penn in front of Community National Bank the last Saturday or May through September for Downtown Movie Night.

Aye: Caflich, Meier, Hogsett

Nay: None

- d. Consider a request from the American Legion Auxiliary to proclaim May 21, 2016 and September 17, 2016 as Memorial Poppy Days [CITIZENS].

This item was moved to Items for Commission Action. Mayor Hogsett read the proclamation aloud.

Motion:

On the motion of Commissioner Meier, seconded by Commissioner Meier, the Commission proclaimed May 21, 2016 and September 17, 2016 as Memorial Poppy Days.

Aye: Caflich, Meier, Hogsett

Nay: None

City staff recommends you adopt the attached proclamation as requested.

- e. Consider renewing the Fire Protection agreement with SMP [BUSINESS & INDUSTRY].

Attached is the Fire Protection Agreement with SMP. We recently became aware that it had not been renewed in October. City staff recommends renewing the agreement.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission renewed the fire protection agreement with SMP.

Aye: Caflisch, Meier, Hogsett

Nay: None

- f. Consider bids received for lab work for the annual employee health fair [CITY EMPLOYEES].

The City received the following bids for the annual employee health fair:

Tests	Labette	RML	Wilson
CBC	5.50	3.05	5.00
Chem	17.05	11.95	10.00
PSA	4.90	9.10	10.00
CA125	11.00	6.00	10.00
TSH	5.00	9.00	10.00
HS-CRP	5.10	3.05	10.00
A1C	6.60	5.00	10.00
Total	\$55.15	\$47.15	\$65.00

The Public Safety Director recommends accepting the low bid from RML.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission awarded the bid to RML.

Aye: Caflisch, Meier, Hogsett

Nay: None

- g. Consider the following Treasurer's Statements [CITIZENS]:

1. Monthly Statement ending March 31, 2016
2. Quarterly Statement ending March 31, 2016

Attached are the above listed Treasurer's Reports. City staff recommends approval.

This item was moved to items for Commission Action. Mayor Caflisch asked about the water loan balances. The City Clerk stated that she is looking into the items that need to be submitted, but it will take time to get this sorted out.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Caflisch, the Commission approved the Treasurer's Statements.

Aye: Caflisch, Meier, Hogsett

Nay: None

Items for Commission Action

- h. Consider a request from the American Legion to purchase City property adjoining the American Legion [CITIZENS].

This item was tabled from your last meeting. The City has received the attached request from the American Legion to purchase lots adjoining the American Legion. City staff will review this request with the Commission at the meeting.

Motion:

On the motion of Commissioner Meier, seconded by Mayor Hogsett, the Commission approved leasing Lots 4-8 and 12-16 to the American Legion for the maintenance in good condition of those lots in lieu of cash.

Aye: Cafilisch, Meier, Hogsett

Nay: None

- i. Consider a proposal from Indigo Design for a master plan for the former Town & Country lot at 401 N. Penn [CITIZENS/QUALITY OF LIFE SYSTEMS].

Attached is a proposal broken into two phases for a master plan for use of the former Town & Country property located at 401 N. Penn. As the Commission is aware the Street Department recently demolished the structure and will be returning the site to grass. The master plan process would be similar to the one utilized to develop the downtown signage plan and plaza concept and would include aesthetic improvements as detailed in the attached proposal. The cost quoted is \$2,880 for Phase I which includes Base Data Collection and Preliminary Concepts; and \$2,520 for Phase II which includes Final Concept and Opinion of Probable Costs/Phasing for a total of \$5,400. This amount does not include any option services such as site boundary and topographic survey, or any reimbursables up to a maximum of \$500. City staff will review the proposal with the Commission at the meeting.

No Action was taken on this item.

- j. Consider co-sponsoring along with the Chamber of Commerce Convention and Visitors Bureau a summer concert on Friday, August 19th featuring "Shenandoah" at Memorial Hall [CITIZENS].

Attached is a request from the Chamber requesting that the City co-sponsor a "Shenandoah" concert on August 19, 2016 to be held at Memorial Hall. Mike Flood, representing the Chamber and Toni Camacho, Chair of the Promotions Committee will present the details to the Commission at the meeting.

Motion:

On the motion of Commissioner Meier, seconded by Mayor Hogsett, the Commission approved co-sponsoring a summer concert on Friday,

August 19th at a maximum cost of \$10,000 which will be reduced by the cost of the facility usage for Memorial Hall.

Aye: Meier, Hogsett

Nay: Caflisch

- k. Consider allowing liquor and/or cereal malt beverage sales on Sundays [CITIZENS].

Mayor Hogsett has requested this item be added to the agenda. It is one of the issues he has been asked about by citizens and he would like to discuss it with the Commission.

No action was taken on this item.

- l. Consider rescheduling June 9, 2016 City Commission meeting [CITIZENS].

Attached is a request from Commissioner Caflisch requesting that the June 9, 2016 Commission meeting be rescheduled.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission rescheduled the June 9, 2016 meeting to Tuesday, June 14, 2016.

Aye: Caflisch, Meier, Hogsett

Nay: None

Reports

- m. Report on budget process for 2017 [CITIZENS/CITY EMPLOYEES].

The City Clerk will review the budget process for 2017.

The City Clerk submitted dates for the budget process to the Commission. Both Mayor Hogsett and Commissioner Caflisch attended a presentation where the budget process starts in January and they would like to discuss this with the City.

- n. Report on number of utility accounts since 2012 [CITIZENS].

The City Clerk will review the number of utility accounts by month since 2012 with the Commission.

The City Clerk reviewed the number of utility accounts by month.

- o. Report on City Board Minutes [CITIZENS].

See attached meeting minutes in your packet from the April 5, 2016 Planning Commission meeting and the April 20, 2016 Recreation Commission meeting.

- p. Consider a resolution authorizing the offering for sale of general obligation refunding bonds, series 2016-A, of the City of Independence, KS.

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the Commission adopted resolution 2016-017 authorizing the offering for sale of general obligation refunding bonds, series 2016-A, of the City of Independence, KS.

Aye: Caflisch, Meier, Hogsett

Nay: None

Executive Session(s):

Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the commission called a 15 minute executive session according to Kansas Statue 75-4319 (b) (4) for the purpose of confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships, to end at 7:30pm. The executive session included Commissioner Caflisch, Commissioner Meier, and Mayor Hogsett.

Aye: Caflisch, Meier, Hogsett

Nay: none

Motion:

On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission called a 10 minute executive session according to Kansas Statue 75-4319 (b) (1) for the purpose of personnel matters of non-elected personnel, to end at 7:40pm. The executive session included Mayor Hogsett, Commissioner Meier, and Commissioner Caflisch.

Aye: Caflisch, Meier, Hogsett

Nay: none

Motion:

On the motion of Commissioner Meier, seconded by Mayor Hogsett, the commission called a 10 minute executive session according to Kansas

Statue 75-4319 (b) (1) for the purpose of personnel matters of non-elected personnel, to end at 7:45pm. The executive session included Micky Webb, Mayor Hogsett, Commissioner Meier, and Commissioner Caflisch.

Aye: Caflisch, Meier, Hogsett

Nay: none

Commission Comments

- Commissioner Caflisch asked for an update on the repair work needed at Laurel and Penn. The City Manager told the Commission that a mediation meeting is scheduled for May 18 in Wichita
- Commissioner Caflisch asked what the protocol is for information requests. The City Manager said that is up to the Commission, but that right now for items that are not active agenda items, the information needs to be requested through KORA. The Commission can determine if they would like to change that.
- Commissioner Caflisch asked about the consultant checking on the work done to Mercy during the Demo process. He was wondering if we were using the same consultant that Mercy is using, as that provides less protections for both parties involved than is appropriate. He ask the City to solicit bids for a different consultant.
- Commissioner Caflisch referred to the Mayor's column in the paper where a 5 member commission was discussed. He asked if the Mayor was serious. The Mayor felt that a board of 5 is so much easier than a board of 3, especially if one member is abstaining from the vote. Commissioner Meier said that it should not be the Commission that decides this issue, but rather a vote of the people that decides this issue.

Adjournment

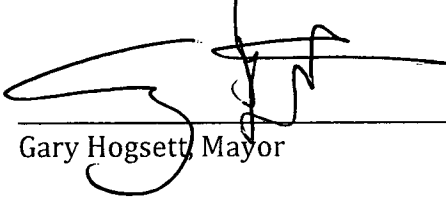
Motion:

On the motion of Mayor Hogsett, seconded by Commissioner Meier, the adjourned the meeting.

Aye: Meier, Hogsett, Caflisch

Nay: None

Minutes of the Independence City Commission's May 12, 2016 Meeting.



Gary Hogsett, Mayor

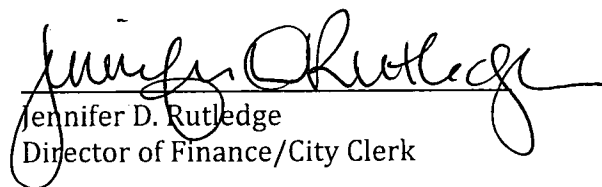


Leonhard Caflisch, Commissioner



Fred Meier, Commissioner

Attest:



Jennifer D. Rutledge
Director of Finance/City Clerk